

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING AND HEARING

DOCKET NO. 2011-387-C

Docket Summary: Joint Application of DSLnet Communications, LLC and DIECA Communications, Inc. d/b/a Covad Communications Company for Approval of Pro Forma Intra-Corporate Transactions

DSLnet Communications, LLC ("DSLnet") and DIECA Communications, Inc. d/b/a Covad Communications Company ("DIECA" and together with DSLnet, the "Applicants"), has filed a Joint Application with the Public Service Commission of South Carolina ("Commission"), pursuant to S.C. Code Ann. § 58-9-310 requesting authority to the extent required, for DSLnet to merge into DIECA, and for the Applicants' unregulated affiliate MegaPath, Inc. ("MegaPath"), and Covad Communications Company ("CCC"), and DSLnet Communications VA, Inc. (DSLnet-VA"), (collectively, the "MegaPath Group") to merge into DIECA with DIECA surviving (the "Transactions"). The Transactions are being undertaken merely as an internal *pro forma* reorganization of the companies into DIECA in order to streamline operations under a single "MegaPath" branded company combining the individual operations of the various affiliated entities. As a result of the Transfer, DSLnet's, DSLnet-VA's, MegaPath's, and CCC's customers and the assets to support the provision of services to those customers will be transferred to DIECA, which will become the service provider for those customers. According to the Joint Application, the rates, terms or conditions of the services being received by customers will not change as a result of the assignment, thus, the proposed Transactions will be virtually transparent to customers of DSLnet in terms of the services that those customers receive. DSLnet requests that its Certificate and tariffs be cancelled upon notification by Applicants that the Transactions were completed.

A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket No. 2011-387-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

PLEASE TAKE NOTICE that a hearing on the above matter has been scheduled to begin on **Monday, December 05, 2011, at 11:30 a.m.**, before a Hearing Examiner in the Commission's Hearing Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **October 28, 2011**, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. ***Please refer to Docket No. 2011-387-C.***

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before **October 28, 2011**, and indicate the amount of time required to address the Commission. ***Please refer to Docket No. 2011-387-C.***

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Commission, in writing, at the address below on or before **October 28, 2011**. ***Please refer to Docket No. 2011-387-C.***

PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov.

9/27/11

Direct correspondence to: Public Service Commission of South Carolina
Attention: Clerk's Office
Post Office Drawer 11649
Columbia, SC 29211